

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

MICROSOFT CORPORATION,

Plaintiff,

v.

C.A. No. 07-90-SLR

ALCATEL-LUCENT ENTERPRISE and
GENESYS TELECOMMUNICATIONS
LABORATORIES, INC.,

Defendant.

**MICROSOFT CORP.'S MOTION FOR
SUMMARY JUDGMENT OF NO INEQUITABLE CONDUCT**

Pursuant to FRCP 56 and Microsoft Corporation's opening brief being filed concurrently with this motion, Microsoft hereby respectfully moves for entry of summary judgment on each of Defendants' inequitable conduct defenses and counterclaims – specifically that U.S. Patent Nos. 6,421,439 (“the '439 Patent”), 6,430,289 (“the '289 Patent”), 6,263,064, and 6,728,357 were not secured through inequitable conduct.

Dated: May 9, 2008

Respectfully submitted,

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MICROSOFT CORPORATION**

CERTIFICATE OF SERVICE

I hereby certify that on May 9, 2008 I electronically filed with the Clerk of Court **MICROSOFT CORPORATION'S MOTION FOR SUMMARY JUDGMENT OF NO INEQUITABLE CONDUCT** using CM/ECF which will send notification of such filing to the following individuals, who were also served via e-mail:

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**[PROPOSED] ORDER GRANTING MICROSOFT CORP.'S MOTION
FOR SUMMARY JUDGMENT OF NO INEQUITABLE CONDUCT**

AND NOW, the Court, having considered the issues raised in Plaintiff Microsoft Corporation's Motion for Summary Judgment of No Inequitable Conduct,

IT IS HEREBY ORDERED that the Motion is **GRANTED**.

SO ORDERED this _____ day of _____, 2008.

United States District Court Judge